

Memo



Date: July 15, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0059

Applicant: Wanda M. & Michael W.A. Murinko

At: 533 Harrop Avenue

Owner(s): Wanda M. & Michael W.A. Murinko

Purpose: To rezone the subject property from RU2 - Medium Lot Housing zone to the RU2s Medium Lot Housing with a secondary suite zone to construct a secondary suite within a single family dwelling.

Existing Zone: RU2 - Medium Lot Housing zone

Proposed Zone: RU2s- Medium Lot Housing with a secondary suite zone

Report Prepared by: Paul McVey

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0059 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 64, Section 23, Township 26, ODYD, Plan KAP62497, located at 533 Harrop Avenue, Kelowna, BC, from the RU2 - Medium Lot Housing zone to the RU2(s) Medium Lot Housing with a secondary suite zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT a building permit be issued for the suite prior to final adoption of the zone;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of BMID being completed to their satisfaction.

2.0 SUMMARY:

This application is seeking to rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2s Medium Lot Housing with a secondary suite zone to construct a secondary suite within a single family dwelling.

3.0 BACKGROUND:

The dwelling was constructed on the subject property in 1999. The approved building plans indicated a partially finished basement.

In January 2010 a bylaw investigation commenced, where it was determined that an illegal suite exists in the dwelling. This application has been made to rezone the subject property to legitimize the existing secondary suite within the existing dwelling.

The proposed application meets the requirements of RU2s- Medium Lot Housing with a secondary suite zone follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	661 m ²	400 m ²
Lot Width	15.8 m	13 m
Lot Depth	41.7 m	30.0 m
Development Regulations		
Site Coverage (buildings)	20.3%	40%
Site Coverage (buildings/parking)	30.3%	50%
Height (existing house)	2 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	204.2 m ²	
Floor Area of Secondary Suite / Size ratios	49.5 m ² / 24.2%	In building can't exceed lessor of 90 m ² or 40%
Front Yard	6.07 m	4.5 m - 6.0 m to garage or carport
Side Yard (west)	1.9 m	1.5 m (1 - 1 ½ storey) 1.8 m (2 - 2 ½ storey)
Side Yard (east)	2.0 m	1.5 m (1 - 1 ½ storey) 1.8 m (2 - 2 ½ storey)
Rear Yard	22.7 m	6.0 m (1 - 1 ½ storey) 7.5 m (2 - 2 ½ storey)
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m ² requirement

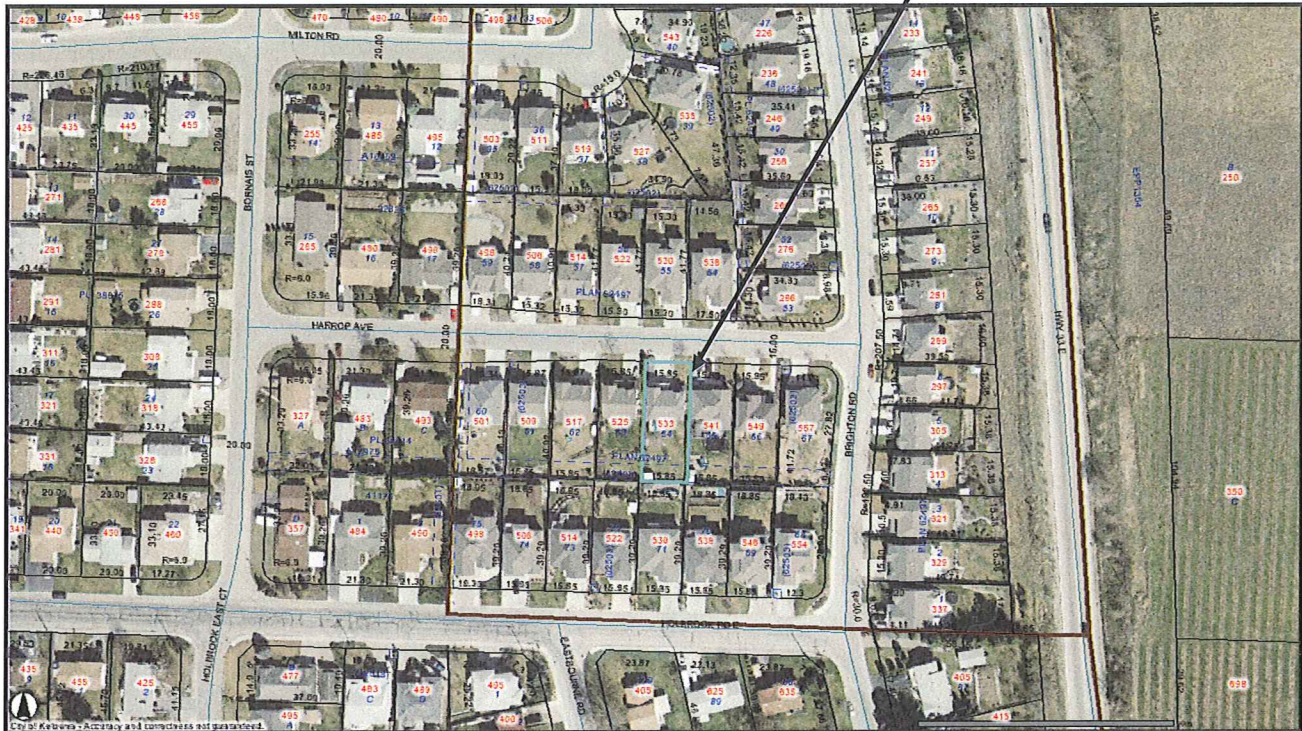
3.1 Site Context

The subject property is located on the south side of Harrop Avenue, east of Bournais Street, in the Rutland area. More specifically, the adjacent land uses are as follows:

North	RU2 Medium Lot Housing SFD
South	RU2 Medium Lot Housing SFD
East	RU2 Medium Lot Housing SFD
West	RU2 Medium Lot Housing SFD

Site Location:

533 Harrop Avenue

**5.0 CURRENT DEVELOPMENT POLICY****5.1 Kelowna 2020 - Official Community Plan**

The subject property is designated as Single/Two Unit Residential in the Official Community Plan.

Housing Polices:

Infrastructure Availability¹. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

Integration². Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

Secondary Suites³. Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

6.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

¹ Official Community Plan, Policy #8-1.30

² Official Community Plan, Policy #8-1.44

³ Official Community Plan, Policy #8-1.47

6.1 Development Engineering

See Attached

6.2 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations are required between the suite and the main home as per BCBC 2006.

6.3 Bylaw Services

Bylaw Services has an open file for this property; illegal suite investigation. File #160752 - BEO Krenn was generated on January 21, 2010, and remains open to date.

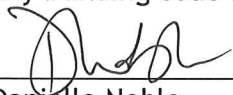
6.4 Building and Permitting Branch

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2006 edition of the British Columbia Building Code (BCBC 06).
- 3) Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the main dwelling.
- 4) Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 06, so provide size of ducts and fire separation details at BP.
- 5) Full Plan check for Building Code related issues will be done at time of BP.


7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

This proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. Policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where services are already in place and densification can easily be accommodated. Minimal impact (if any) is anticipated on abutting properties, as parking requirements and private open space provisions can be achieved on-site.

The applicant is required to make application for a Building Permit for the suite conversion and any building code issues will be dealt with at the time of the Building Permit review.

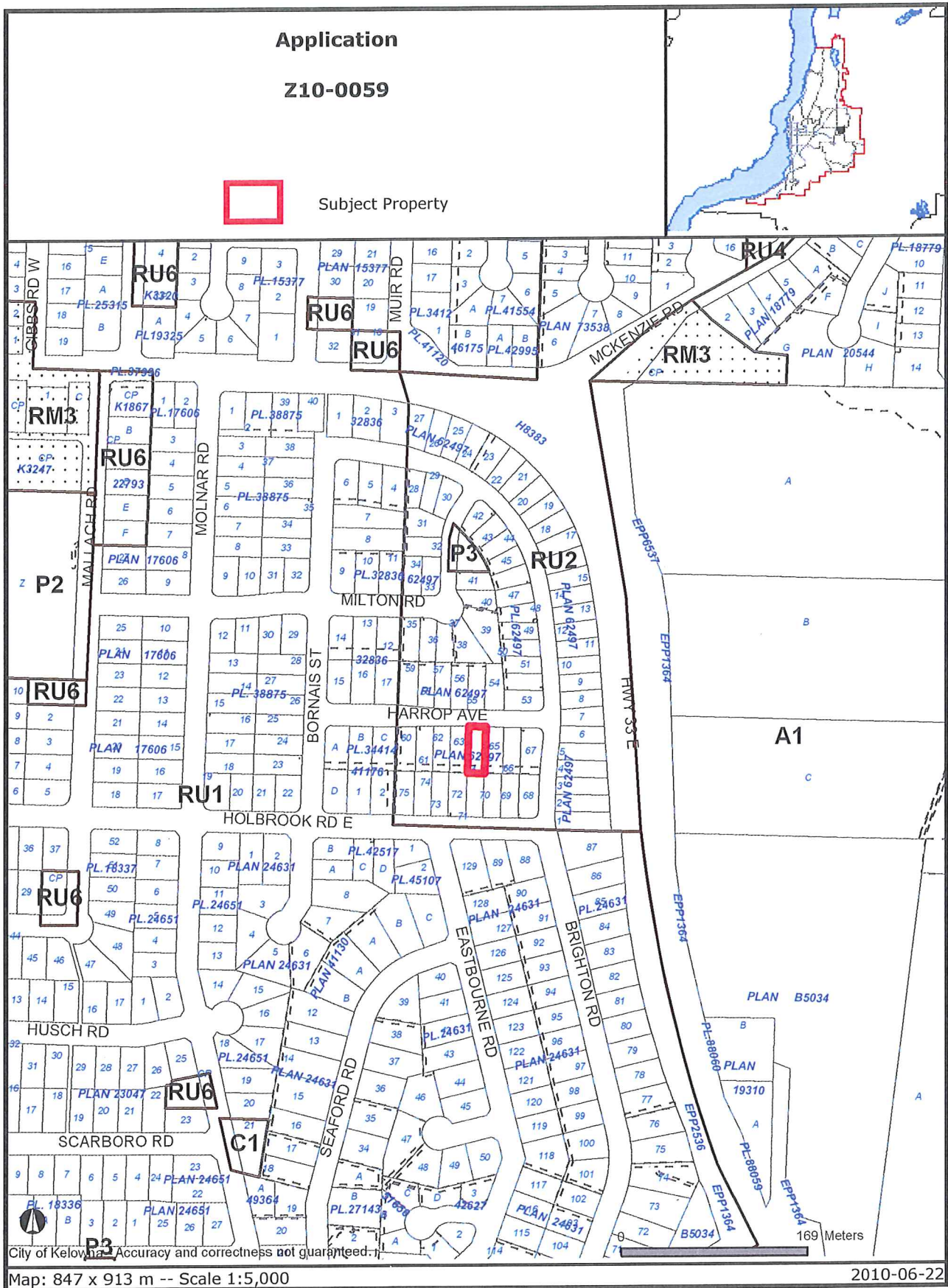


Danielle Noble
Manager, Urban Land Use

Approved for inclusion: 
Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map
Site Plan
Landscape Plan
Lower/Upper/Suite Floor Plans
Building Elevation Drawings
Date Application Accepted: June 22, 2010



City of Kelowna Accuracy and correctness not guaranteed.

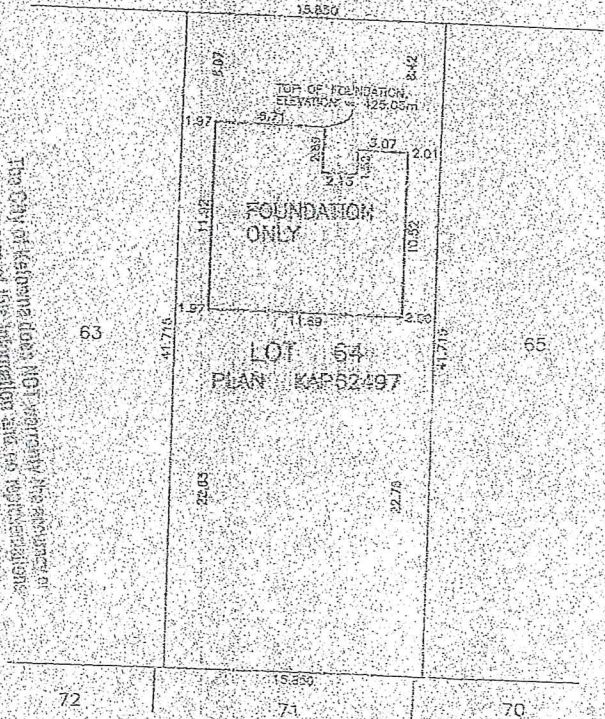
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

B.C. LAND SURVEYORS CERTIFICATE OF LOCATION
SHOWING FOUNDATION ON LOT 64, PLAN KAP62497,
SECTION 23, TOWNSHIP 28, O.D.Y.D.

533 HARROP AVENUE

POSTED

HARROP AVENUE



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THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

I HEREBY CERTIFY THAT THE ABOVE SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE DESCRIBED PROPERTY AND THE RELATIVE LOCATION OF THE BUILDINGS THEREON.

MARCH 31 1999

T.E. Ferguson
B.C.L.S., C.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

T.E. Ferguson Land Surveying Ltd.
B.C. AND CASSIDA LAND SURVEYORS
215-1828 RICHTER STREET, KELOWNA, B.C.
TELEPHONE: (250) 753-3113
FAX: (250) 753-0321

SHEET:	1/250 METRES
FILE:	15935
CLIENT:	RIPPEL CONTRACTING

T.E. FERGUSON LAND SURVEYING LTD.

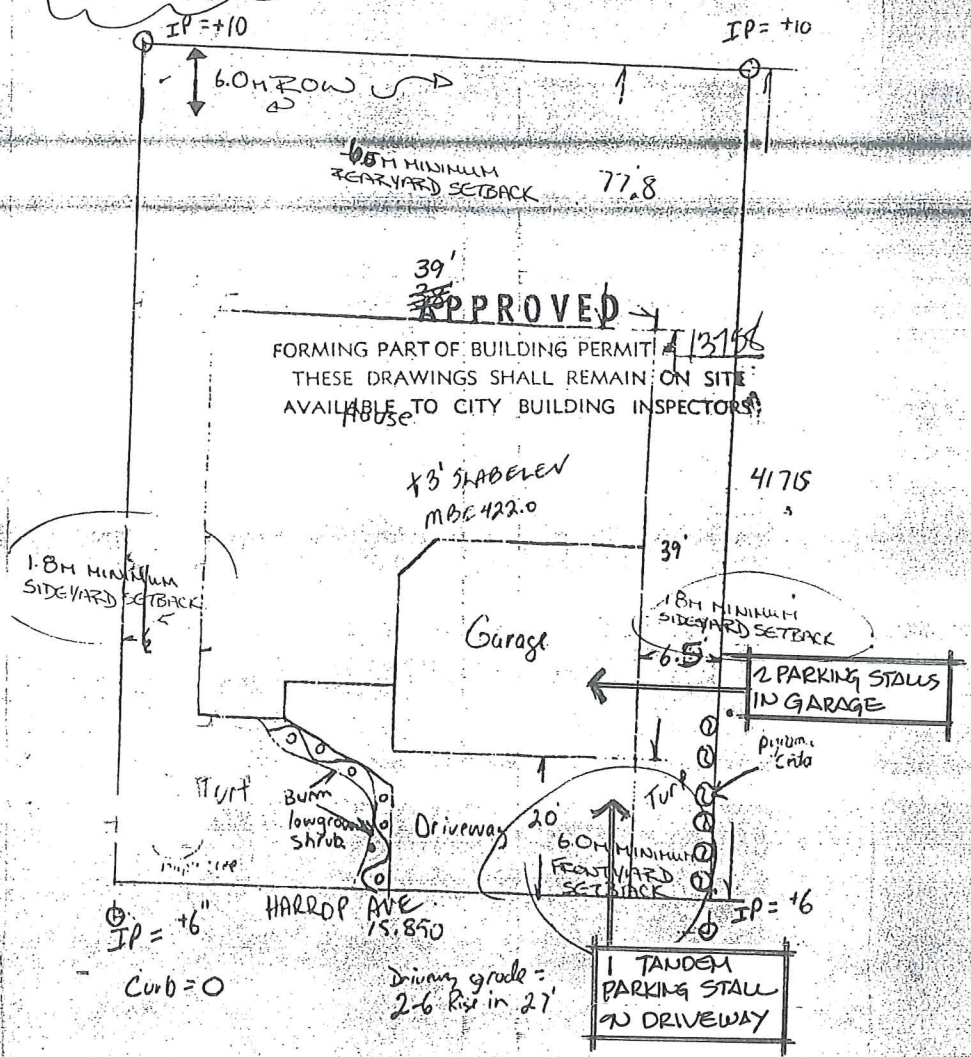
533 Harrop

DP-13153

SITE PLAN

REFER TO ATTACHED
 - SITE GRADING PLAN
 - R.O.W. PLAN
 - TRUSS LAYOUT

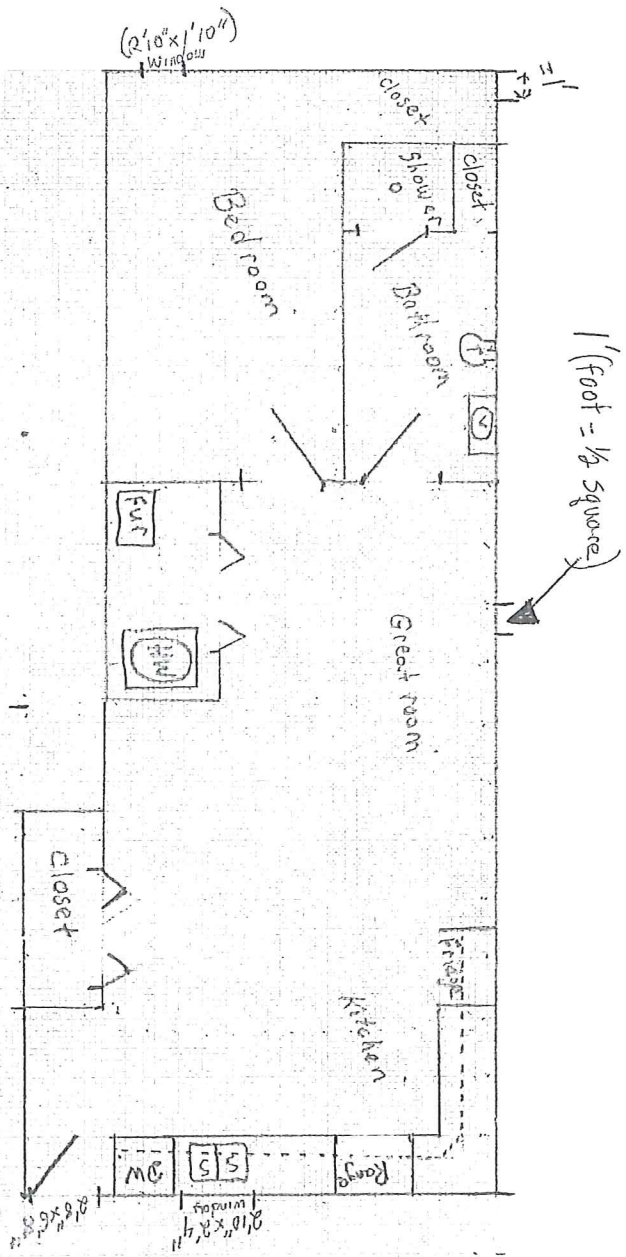
SITE COVERAGE
 MAX 40% of 661 m²
 Actual 80.370 = 134.2 m²



LANDSCAPE PLAN

SUITE - BASEMENT PLDPOSAC

502 ...



SUITE DETAILS

CITY OF KELOWNA
MEMORANDUM

Date: July 06, 2010
File No.: Z10-0059
To: Planning & Development Services Department (PMcV)
From: Development Engineer Manager (SM)
Subject: 533 Harrop Ave – Lot 64, Plan KAP62497, Sec. 23, Twp. 26, ODYD

Development Engineering Services comments and requirements regarding this application to rezone from RU2 to RU2s are as follows:

1. Subdivision
Provide easements as may be required
2. Sanitary Sewer.
The subject property is connected to the Municipal wastewater collection system.
3. Domestic Water.
The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.
4. Miscellaneous.
 - a) Parking is provided on site.
 - b) This application does not trigger any offsite upgrades.

Steve Muenz, P.Eng.
Development Engineering Manager

BB



